

Automated Commercial Environment—Requirements Recommendation

Date of Submission:	May 17, 2004	Requirement Due Date:	
Requirement Number:	ITD-027	Scheduled Release:	5,6,7
Requestor / Committee:	ITDS	Trade Committee Co-Chair:	Sandra Scott
eCP Trade Lead:	Peter Baish	Trade Subcommittee Co-Chair:	Debbie Benish
eCP Tech Lead:	Bruce Brown	Customs Co-Chair:	Gregg Scherban
Subject Matter:	<u>FDA/CBP Release Coordination</u>		

Requirement

Current ACS process allows an import shipment to clear CBP independent of an FDA release. Carriers are electronically notified of CBP clearance via a "1C" message through the AMS system but there is no indicator of whether or not an FDA release has been obtained. If the importer and/or broker wants the shipment to remain at the clearing port they must manually notify the carrier. This results in some shipments leaving the port limits prior to receiving the manual notification and FDA will often demand that the shipment be returned for testing. The new ACE system needs to provide for the option a mechanism that will allow an importer to elect to prevent a shipment from receiving a CBP release if it is pending an FDA release. One suggested solution was to mirror new CBP programming that prevents a CBP release if the shipment is pending USDA release. USDA does not rely on an entry filing to secure a hold. They place a hold on the manifest in the AMS system.

This requirement has an FDA impact.

Business Need

Importers who are regulated by PGAs and who want the shipments to remain at the first port of entry until all PGA releases are obtained need a consistent, automated process by which they may elect that option for selected entries.

Technical Need

PGA and importer participation in the ACE system. Potential for additional coordination between the PGA and CBP systems. Potential for additional coordination between the AMS or other carrier systems and the ACE and PGA systems.

Benefits

Allows an importer more flexibility in the management of import shipments. Prevents distribution of PGA regulated commodities in error. Allows for an efficient means of controlling PGA regulated shipments.

Risks

Complications inherent with flagging some shipments for a "hold" and allowing other, similar or same shipments to move on conditional release.

Related Subcommittees

Entry
Accounts
Policy

Priority: **Critical** ☐ **High** ☒ **Medium** ☐ **Low** ☐

